IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

OP.No. 32598 of 2002(S)

PETITIONER:

C.K.K.NALLAKOYA, S/O. P.C.KOYAMMAKOYA, CHERIYAKAKKANNAL HOUSE, ANDROTH ISLAND, UNION TERRITORY OF LAKSHADWEEP, LABOURER (HELPER FOR LINEMAN) IN THE ELECTRICAL SUB DIVISION , MINICOY

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS:
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1. UNION OF INDIA, REPRESENTED BY ITS SECRETARY TO HOME AFFAIRS DEPARTMENT, NEW DELHI.

2. THE ADMINISTRATOR, UNION TERRITORY OF LAKSHAWEEP, KAVARATTI.

3. THE EXECUTIVE ENGINEER, ELECTRICITY DEPARTMENT, KAVARATTI.

4. ASSISTANT ENGINEER, ELECTRICAL SUB DIVISION, MINICOY.

5. THE SPECIAL OFFICER, VILLAGE (DWEEP) PANCHAYAT, MINICOY.

6. THE CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH.

R2 TO R5 BY ADV. SRI.PR.RAMACHANDRA MENON,SC,LAKSHADWEEP
R1 BY SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR GENERAL

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE PHOTOCOPY OF OA NO.527/01 DATED 20.6.2001 FILED BY THE PETITIONER BEFORE 6TH RESPONDENT.

EXT.P2 TRUE PHOTOCOPY OF REPLY STATEMENT DATED 10.10.2001 FILED BY RESPONDENTS 1 TO 5 IN EXT.P1 BEFORE 6TH RESPONDENT

EXT.P3 TRUE PHOTOCOPY OF REJOINDER DATED 13.11.2001 FILED BY THE PETITIONER IN EXT.P1 BEFORE 6TH RESPONDENT

EXT.P4 TRUE PHOTOCOPY OF ORDER DATED 25.6.1998 OF THE 6TH RESPONDENT IN OA NO.1550/95

EXT.P5 TRUE PHOTOCOPY OF ORDER DATED 4.3.2002 IN OA NO.527/2001 OF THE 6TH RESPONDENT

RESPONDENTS' EXHIBITS:

EXT.R2(A) TRUE COPY OF O.M.NO./49014/2/86-ESTT.DATED 7.6.88 ISSUED BY THE GOVERNMENT OF INDIA

EXT.R2(B) TRUE COPY OF THE MESSAGE/TELEGRAM F NO.20/2/AAP/PART 95-96 DRDA (L)/17 DATED 2.2.96 ISSUED BY THE PROJECT OFFICER, DRDA, LAKSHADWEEP, KAVARATTI

EXT.R2(C) TRUE COPY OF THE JUDGMENT DATED 5.10.01 PASSED BY THIS HON'BLE COURT IN OP NO.28776/01

EXT.R2(D) TRUE COPY OF THE JUUDGMENT DATED 23.10.03 PASSED BY THIS HON'BLE COURT IN O.P.21800/98

/ TRUE COPY /

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ.

O.P.No.32598 of 2002

Dated, this the 21st day of August, 2007

JUDGMENT

Radhakrishnan, J.

This case is already covered by the judgment of this Court in O.P.No.28776 of 2001. In the circumstances, we find no illegality in the view taken by the Tribunal. The original petition lacks merits and the same is dismissed.

Consequently, C.M.P.No.55148 of 2002 is also dismissed.

K.S.RADHAKRISHNAN, JUDGE

V.K.MOHANAN, JUDGE

vns